

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
BOARD OF PROFESSIONAL COUNSELORS**

**May 10 & 11, 2012
Minutes of Meeting**

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 08.95.020, Article 1, a scheduled meeting of the Board of Professional Counselors was held May 10 – 11, 2012, in Anchorage, Alaska.

Thursday, May 10, 2012

Call to Order/Roll Call

Board Members Present and constituting a quorum of the Board were:

Shawnie Olson, Chairperson, Licensed Professional Counselor – Homer
Emily Zimbrich, Licensed Professional Counselor – Haines
Jennifer Burkholder, Licensed Professional Counselor – Anchorage
Lillian Mitchell, Public Member – Anchorage
Ray DePalatis, Licensed Professional Counselor – Anchorage

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing were:

Eleanor Vinson, Licensing Examiner
Misty Frawley, Administrative Officer, by telephone
Susan Winton, Investigator
Gary Keiser, Investigator

Review Agenda

There were no changes to the agenda.

Agenda Item 1 – Review Minutes

The minutes from the January 26-27, 2012 meeting were reviewed.

Upon a motion by Jennifer Burkholder and seconded by Emily Zimbrich, and approved unanimously, it was

RESOLVED to accept the January 26-27, 2012 minutes, as amended.

Agenda Item 2 – AKCA Liaison Report

There was no Liaison report this meeting.

Agenda Item 3. Division Reports

3. A. Budget Report

Misty Frawley, Administrative Officer, spoke with the Board regarding the new system of reporting expenses to the Boards. The third quarter report is not ready at this time.

3. B. Investigations Report

Investigator Gary Keiser and Investigator Susan Winton reported to the Board regarding the status of Investigations for this Board. Investigator Winton spoke regarding an on-going investigation that has been open.

There are three open complaints; three open investigations; and four complaints /investigations that have been closed since last meeting.

Agenda Item 4. ACA Conference Report

Chair Olson had attended the ACA Conference and gave the Board a review of what was presented, especially “The Counselor & The Law”. It is a model for counselors to follow for ethical issues, with emphasis on documentation. It included subjects of technology breaches, child custody, and other areas. The Chair requested that Investigator Keiser sit in on the presentation.

Agenda Item 5 – Public Comment

No members of the public attended.

Agenda Item 6 – Application Review

See minutes for 5/11/2012 for motions.

Agenda Item 7 – Old Business

7. A. Temporary Licensure

There was general discussion regarding whether or not the Board would pursue temporary licensing for license by credential applicants who do not have the required 60 graduate semester hours in counseling, but are licensed in another state.

Some members of the Board feels that it does not take that long to get the extra hours needed; others felt it was a good idea to pursue a temporary license. This was tabled until the next meeting.

7. B. ACA Code of Ethics subcommittee report

The subcommittee has not had a chance to meet regarding the ACA Code of Ethics. The meeting adjourned at 5:05 pm until May 11, 2012, at 9:00 am.

Friday, May 11, 2012

Call to Order/Roll Call

Board Members Present and constituting a quorum of the Board were:

Shawnie Olson, Chairperson, Licensed Professional Counselor – Homer
Emily Zimbrich, Licensed Professional Counselor – Haines
Lillian Mitchell, Public Member – Anchorage

Board Member Absent:

Jennifer Burkholder, Licensed Professional Counselor – Anchorage
Ray DePalatis, Licensed Professional Counselor – Anchorage

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing was:

Eleanor Vinson, Licensing Examiner

Attending from the Department of Law:

Harriet Milks, Assistant Attorney General (by telephone)

Agenda Item 6 – Application Review

The Board reviewed 21 applications; 46 audits; and 13 continuing education providers' approvals.

Reviews were done on 5/10/12.

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to enter into executive session in accordance with AS 44.62.310 (c)(2)(3) and Alaska Constitutional Right to Privacy Provision for the purpose of discussing an application

Into Executive Session at 10:30 am.

Out of Executive Session at 10:40 am.

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to approve the following CEU applications:

ALASKA CASA PROGRAM

Celebrating 25 Years of CASA in Alaska

JUNEAU ALIANCE FOR MENTAL HEALTH

Knowing Our Neighbor: Alaska Native Culture

MERCY DENNIS

Study & Review of Couples Therapy I and II

PIERCE COUNTY CENTER FOR DISPUTE RESOLUTION

2012 Basic Mediation Training

UAA/TTC/ARBHTA

Clinical Supervision Capstone

RURAL PROVIDERS' CONFERENCE

1. Talking Circle & Traditional Healing Methods for Rural Health Providers
2. Increasing Youth Resiliency: A Strategy to Prevent Substance Use & Suicide
3. Store Outside Your Door: The Importance of Nutrition in Recovery
4. Gendered Lives: Impact of Gender on Recovery
5. What's Your Green Dot?
6. Heart of a Grizzly
7. Planning While Aging in Rural Alaska
8. BBNA Family Services Department Focus

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to approve the following applications:

PC BY EXAMINATION

BROKOFSKY, DANA
OKESON, CATHERINE
RIDDICK, MARY
KAYDAN-BELL, KATHRYN

PC SUPERVISOR

AITKEN, ANN
ANDERSON-CALDWELL, HOLLY
HALLGREN, TANYA
KENDALL, VICTORIA
LOGAN, LAURIE
WIGHTMAN, CHRISTOPHER

REINSTATE LICENSE

LUTZ, LAWRENCE
PATIN, LAURA
PAULICK, KATHERINE
SIMMONS, MICHELE

ALTERNATE SUPERVISION

BRAY, JOE
HAMMER, COLBY
LEAKE, CRYSTAL
SHORES, BRYAN
MCKAY, EDWARD

**Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was
RESOLVED to approve the following CEU Audits for the 2011 renewal:**

BLACKSHIRE, ABIGAIL
CASHION, JENNIFER
COMEAU, CAROLE
DAVIS, LISA
DIEHL, CAROL
DONOVAN, ELIZABETH
DURTSCHI, SHIRLEY
DZIEKAN, KATHRYN
FLEMING, VIVIAN
FORSYTH, JO
FREEMON, MELINDA
HASKELL, KIMBERLY
HOLMES, KENNETH
HOPKINS, ELIZABETH
HORTON, SHEILA
HORWATH-OLIVER, COURTNEY
JOHN, REBECCA
JOHNSON, STEPHANIE
KITCHEN, STEPHANIE
KLATT, MARGARET
LAKE, SHARON
LAWSON, JEANNETTE
LEAHY, MOLLY
LINQUIST, NIKKI
MACNAMARA, TERRENCE
MCCARTHY, MARY
MCCORMICK, DAVID
MCGINLEY-WEST, KATHLEEN
MCMAHON, SARA
NIKONIUK, PREMLATA
NORTON, ANNE
NOWELL, JOSEPH

PALCO, MARY
ROWLEY, LUCAS
SHEWELL, SKIP
SNELL, ANN
SWEET, STEPHEN
TERRY, DEBRA
TINCHER, VIVIEN
WATKINS, ADRIENNE
WELCH, JAMES
WHITEFEATHER, SUSAN
WILTS, MEGAN

Agenda Item 8 – Correspondence

8. A. NBCC-pass rates

The National Board for Certified Counselors (NBCC) sent a report on pass/fail rates for persons who had taken the examination for Alaska licensure. The exam was given thirty times and there were twenty-six passing scores.

8. B. Young-accepted courses

Ms. Young enquired if a UAA course called “Forensic Psychology 6201- Introduction to Forensic Psychology” and another titled, “Introduction to Marriage and Family Counseling” would be accepted in order to meet the 60 graduate semester hours in counseling required under 08.29.110.

The Board determined that both courses would be accepted.

8. C. Herring-accepted courses/degree

Ms. Herring asked if her UAA degree from 2001, which covered only six of the eight subject areas listed in 12 AAC 62.120, would be accepted. The Board stated they would accept the degree.

Ms. Herring also asked if certain courses would be accepted in order to meet the 60 graduate semester hours in counseling required under 08.29.110. The courses are all offered by UAA in their Graduate Psychology program. The Board determined they would accept the courses.

She enquired if courses from the University of Phoenix would be acceptable. The Board stated that the courses may come from any university as long as it is accredited per 12 AAC 62.120. APPROVED DEGREES:

(d) An applicant who has not obtained enough graduate semester hours in the applicant’s earned master’s degree in counseling or a related professional field to meet the 60 graduate semester hours required under AS 08.29.110(a)(5)(B) may obtain the additional graduate semester hours needed to meet that requirement from an accredited program in (a) of this section either online or at an institution.

8. D. McKemie-accepted courses

Ms. McKemie requested approval for a course to meet the 60 graduate semester hours required under AS 08.29.110(a)(5)(B). The course is Alaska Pacific University's "Art in Counseling". The Board would accept this course.

8. E. Edney-comment on Board

Carey Edney, PhD, had written with comments complimentary of the LPC Supervisor approval process.

8. F. Welch-supervised hrs/work hrs

Mr. Welch enquired as to the proper amount/percentage of direct service if one is working full time. The Board directed him to the following statute/regulation:

Sec. 08.29.110. Qualifications for licensure. . . . (6) has, after earning the degree required under either (5)(A) or (B) of this subsection, had at least 3,000 hours of supervised experience in the practice of professional counseling performed over a period of at least two years under the supervision of a supervisor approved under AS 08.29.210, with at least 1,000 hours of direct counseling with individuals, couples, families, or groups and at least 100 hours of face-to-face supervision by a supervisor approved under AS 08.29.210 unless, under regulations of the board, the board allows the supervision to be by telephonic or electronic means because of the remote location of the counselor.

8. G. Niwa-CRC Exam

Ms. Niwa asked that the Certified Rehabilitation Counselor Examination be accepted in place of the National Counselor Examination for Licensure and Certification. After reviewing the content of the CRC Examination, the Board determined they would accept the Certified Rehabilitation Counselor Examination in place of the NCE.

12 AAC 62.110. EXAMINATION. (a) The written examination for a professional counselor license required under AS 08.29.110(a)(4) is the National Counselor Examination for Licensure and Certification (NCE), administered by the National Board for Certified Counselors, Inc. (NBCC). An applicant must obtain a passing score on the examination accepted by the board based on the determinations made by the NBCC.

(b) In lieu of the NCE, the board will accept passage of another nationally recognized examination for professional counselors that is equivalent to the NCE. The applicant must obtain verification of passage of the examination accepted by the board, sent directly to the board by the administrator of the examination.

Agenda Item 9 – New Business

This was discussed on 5/10/12.

9. A. Supervisory CEUs not accepted for counselor CEU

The Chair had questioned whether CEUs required to become an approved supervisor should be included in the required continuing education hours needed for reinstatements.

Other members did not agree, and it was noted that it is NBCC approved, so it would be accepted per regulation.

9. B. Year end goals and objectives

The Board worked on the year-end goals and objectives.

9. C. Reinstate/renew license grace period

There was question from the Chair regarding late renewals. The late renewals are not renewals. They become reinstatements, which have specific requirements, such as providing proof of continuing education hours.

9. D. On-line board packets and ballots

The Division is working on Boards being able to access their board packets on-line. The Professional Counselor Board requested the packets be continued as they are now.

9. E. AASCB Dues

The Board belongs to the American Association of State Counseling boards (AASCB) and they sent out a reminder that dues would be due soon.

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to continue the association with AASCB and pay the yearly dues.

Agenda Item 10 – Statutes

10. A. Supervision/08.29.210

The Board is still unanimous in its request to change 08.29.210 by adding the words, “or when the Board rescinds the certification.” The Board had previously submitted a request to the Division for this change.

Sec. 08.29.210. Supervisor certification. (a)

(b) Certification under (a) of this section remains in effect, without the need for renewal of the certification, until the person's professional licensure is revoked, suspended, or otherwise lapses.

Agenda Item 11 – Regulations

11. A. 12 AAC 62.350 Hardships/public notice

The Board of Professional Counselors had addressed the possibility of extraordinary hardships in obtaining continuing education contact hours for license renewal. The revised regulations were reviewed by the Law Department and brought to the Board for acceptance of the amendment to their previously approved regulation change/addition.

Along with AAG Milk, the Board discussed the changes; one of which stated that to receive the exception to the continuing education, one must be in active duty military service for a minimum of days.

The Board did not wish to put a time requirement on it and stated that they would be reviewed on a case by case basis. They did wish to adopt it as presented, other than the wording regarding exceeding a certain number of days.

Upon a motion by Emily Zimbrich and seconded by Ray DePalatis, and approved unanimously, it was **RESOLVED to adopt the new amendment to 12 AAC 62 by adding a new section to Article 3, but delete the following wording in 12 AAC 62.350(b)(4): “exceeding ___ consecutive days within a 12 month period”.**

When signed into law, 12 AAC 62 is amended by adding a new section to Article 3 to read:

12 AAC 62.350. Failure to meet continuing education requirements. (a) A licensee may request a waiver of the continuing education requirements of 12 AAC 62.310 by submitting a written request to the board that describes the reasons for the request and includes supporting documentation satisfactory to the board. If the board finds good cause, the board may grant an exemption to the licensee under this subsection. If the board grants the exemption, the board may require an alternative method of demonstrating continued competence.

(b) In this section, “good cause” may include

- (1) physical disability;
- (2) serious illness;
- (3) family emergency;
- (4) active duty military service in the armed forces of the United States.
- (5) other extenuating circumstances, as found by the board.

The Board adoption order was signed on record by Chair Olson.

11. B. 12 AAC 62.220 change supervision requirements

This was discussed on May 10, 2012.

The Alaska Behavioral Health Association has addressed the Board during their January meeting regarding what they perceived as a workforce problem for rural behavioral health providers. They had asked the Board to change the regulation in order to accept out of state supervision hours from individuals wishing to work in rural Alaska. Since 2007 the supervision must be under an approved supervisor who is approved by the Board before the supervision begins.

There was discussion regarding this but the Board feels these rules are needed to insure the supervisors meet the required criteria. The Board is writing a letter in response to the ABHA and will remind them that the most expedient way for these individuals to become licensed may be through the license by credentials process, once they are licensed in another state.

11. C. 12 AAC 62.100(c)

The Board discussed 12 AAC 62.100(c). The regulation now reads:

12 AAC 62.100. LICENSE BY EXAMINATION.

(c) The board, or the board's designee, will approve an applicant to sit for the examination who submits to the department a complete application under this section and meets the requirements of 12 AAC 62.100(b), except the examination required under AS 08.29.110(a)(4) and the supervised experience required under AS 08.29.110(a)(6).

In order to be scheduled for an examination, the application and all supporting documents must be received by the department at least 90 days before the scheduled date of the examination.

The directions given in section (c) are no longer correct. The Board does not approve an applicant to sit for the examination nor schedule them for the examination. That is all now done by National Board for Certified Counselors, Inc. (NBCC).

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to delete Section (c) of 12 AAC 12.100 and replace it with “Proof of having passed a written examination approved by the Board”.

The Board also discussed the need to change Section (d) of 12AAC 62.110. The Board receives requests to extend the time period due to many reasons including military deployment, applicants moving, and the fact that some states require the exam be passed while the applicant is still in graduate school.

The Board would like to be able to grant an extension in some cases, such as mentioned above. The Board would like to see “the Board may grant an exception” to the three year limit.

12 AAC 62.110. EXAMINATION. (a) The written examination for a professional counselor license required under AS 08.29.110(a)(4) is the National Counselor Examination for Licensure and Certification (NCE), administered by the National Board for Certified Counselors, Inc. (NBCC). An applicant must obtain a passing score on the examination accepted by the board based on the determinations made by the NBCC.

(b) In lieu of the NCE, the board will accept passage of another nationally recognized examination for professional counselors that is equivalent to the NCE. The applicant must obtain verification of passage of the examination accepted by the board, sent directly to the board by the administrator of the examination.

(c) Repealed 01/14/2011.

(d) Except as provided in 12 AAC 62.100(e), an applicant who has passed an examination specified in (a) or (b) of this section must retake the examination if the applicant has not been issued an initial license within three years of passing the examination.

Upon a motion by Lillian Mitchell and seconded by Emily Zimbrich, and approved unanimously, it was RESOLVED to add the words “The Board may grant an exception” to 12 AAC 62.110(d).

Agenda Item 12. Board Business

A. Task List

Ray DePalatis & Emily Zimbrich will continue an Ethics subcommittee.

B. Sign Wall Certificates

Wall certificates were signed.

C. Future Meetings

October 4-5, 2012 – Anchorage

February 7-8, 2013– Anchorage

Meetings will begin at 9:30 am on the first day and at 9:00 am on the second day.

D. Sign Meeting Minutes

The minutes from the previous meeting were signed.

E. Travel Authorizations

Travel authorizations were signed by Board members and paperwork turned in.

F. Ethics reports

There were no ethics reports this meeting.

G. Conferences/training

The Board has approved the following conferences/attendees:

American Mental Health Counselors Association (AMHCA) July 19-21, 2012 – DePalatis

NBCC – August 9-10, 2012 – Vinson and Zimbrich

CLEAR – September 6-8, 2012 – Mitchell and Vinson

Upon a motion by Emily Zimbrich, seconded by Lillian Mitchell, and approved unanimously it was

RESOLVED to adjourn the meeting.

Meeting adjourned at 10:50 am.

Respectfully Submitted:

Eleanor Vinson, Licensing Examiner

Approved:

Tashawna Olson, Chair
Board of Professional Counselors

Date: _____